

(CR) Legislation, Standards, and Guidelines for Cultural Resource Reviews – State

CONTRACT ARCHAEOLOGY GUIDELINES Maine Historic Preservation Commission, 1992

INTRODUCTION

This document is provided as background information to corporations or individuals needing contract archaeological services. It is designed to provide an outline scope-of-work for preparation of proposals by contract archaeologists bidding on the project work.

The archaeological work necessary on most projects can be conceived of in three phases, with progression from one phase to the next being dependent upon the findings of field and laboratory work of the preceeding phase, and their review by the SHPO (Historic Preservation Commission). Phase I, or Reconnaissance Survey, involves initial search for and location of all archaeological sites within the project impact area, or gathering enough data for statistical assurance that no such sites exist. The process may begin with the study of background information; aerial photographs and maps, pre-existing archaeological survey data, and/or historic documents), but it usually includes a field work component. Archaeological fieldwork in Maine is generally possible only between mid-April and late October because of frozen ground conditions.

Phase II, or Site Eligibility Survey, consists of testing each site, determining its size and contents, developing enough data to decide whether or not the site is eligible for the National Register of Historic Places, and enough data for budgeting and planning full mitigation if the site is significant and if adverse impact to the site cannot be avoided. Phase III, Data Recovery Mitigation, consists of a full-scale archaeological excavation of any threatened significant archaeological site.

Excerpts from State Historic Preservation Officer's Standards for Archaeological Work in Maine 27 MRSA S.509.

3. CREDENTIALS

The SHPO recognizes that archaeological work can require a range of training and experience from modest levels to advanced levels. Persons meeting the requirements of advanced experience and training shall be eligible for both the Level I approved list and the Level 2 approved list. Those persons meeting only the criteria of moderate training and experience shall be eligible for the Level 1 approved list. Persons listed on the Level 1 approved list shall be recommended by the Maine Historic Preservation Commission for Phase I archaeological survey work, archaeological site location, survey and data synthesis work for municipal match provided by state and non-state funds. Persons listed on the Level 2 approved list shall be recommended for all types of work and grants available including Phase II and Phase III cultural resource management jobs, and they will be eligible to direct state and federally-funded survey grants, and state and federally-funded development grants. In addition, the Level 1 and Level 2 approved lists will be sub-divided by specialty either in historic archaeology or prehistoric archaeology. A person may be listed on more than one approved list.

5. ENVIRONMENTAL IMPACT PROJECTS.

When a government agency or private party (contracting party) is required by law to conduct pre-construction archaeological survey or mitigation, the following procedural steps are taken:

- A. The contracting party ascertains from the SHPO that fieldwork is needed.
- B. The SHPO sends the contracting party the applicable approved lists of archaeologists and a generic scope-of-work based upon the nature of the project. These are accompanied by a recommendation that approved archaeologist(s) be hired to direct the project.
- C. The contracting party seeks proposal(s) from any or all of the persons on the supplied approved lists.
- D. The contracting party sends the proposal(s) to the SHPO for comment on the scope-of-work and methodology, omitting any budgetary information, unless the contracting party specifically requests in writing that this be included in the review. Should such a request for SHPO comment on budgetary information be made, the SHPO will consult with the bidder(s) about their proposed budget(s) before commenting to the contracting party.
- E. The SHPO, advised by the relevant Commission staff member(s), comments on the proposals in writing to the contracting party, who then negotiates with the potential contractor(s) for necessary modifications.
- F. An agreement is reached between the SHPO and the contracting party on the scope-of-work and methodology.
- G. Once the fieldwork is completed, a report is prepared by the contractor and submitted to the contracting party.
- H. The contracting party sends the report to the SHPO for comment.
- I. The SHPO sends the contracting party a written statement clearly describing the report's problems, if any, and what measures are necessary to rectify them.
- J. The contracting party passes these comments on to the contractor, who makes changes as necessary, re-submits the report to the contracting party, who re-submits it to the SHPO for final approval.
- K. The SHPO approves the report and so notifies the contracting party.

6. GUIDELINES FOR RESEARCH AND REPORTING

- A. Phase I (reconnaissance-level) survey involves initial search for and location of all potentially significant archaeological sites within a specified area, or gathering enough data for statistical assurance that no such sites exist. This work includes a search of existing archaeological data for the area, including fieldnotes and reports on file in the Commission offices and other relevant data repositories; communication with local collectors and review of their artifact collections and provenience, where appropriate; field research as appropriate, including walk-over and/or subsurface testing, with suitable sampling strategy; and, for historic archaeological survey, a review of relevant primary documentary sources.
- B. Phase I reports will include, at a minimum, discussion of the items on the attached "Report Form for Small-Scale Survey", although it is not necessary to follow the exact format or order of items. Graphics will be clean and clearly reproducible. Photographs will be black and white, minimum 5" x 7" format, and of good quality, unless an alternate format has been approved by this Commission. Either representative examples or complete test unit soils and content records will be appended. All test units must be located on maps, or other such information provided to allow for assessment of testing intensity.

- C. Phase II (intensive-level) survey consists of testing a site, determining its size and contents, developing enough data to decide whether or not the site is eligible for the National Register of Historic Places and to plan full mitigation, if applicable. Phase II survey will often involve research as a continuation of Phase I, but it is focussed on specific site(s) rather than areas. Phase II survey must provide enough data for determination of National Register-eligibility and production of a nomination, if necessary.
- D. Phase II reports will contain, at a minimum, the same types of information noted above for Phase I reports, but will be focussed on specific site(s). Enough test unit information will be included to allow independent assessment of site boundaries. For sites that may be eligible for nomination to the National Register, information necessary for completion of a nomination form will be included. Recommendations concerning National Register – eligibility should refer to federal criteria (“Guidelines for Completing National Register of Historic Places Forms”) and any current Commission guidelines.
- E. Phase III (mitigation or development) represents excavation of a site for data recovery either for pure scientific research or in cases where construction cannot be designed to avoid adverse impact to all or part of a National Register – listed or Register – eligible site. Phase III excavation will follow a scientific research proposal designed to maximize data recovery, under the principal that excavation destroys a site. The goal of Phase III data recovery projects is not necessarily to prove a particular theoretical point, or recover data addressing just one category of inquiry. The Principal Investigator must demonstrate awareness of a broad range of research goals and problems that can be addressed by the data preserved in the site. The data recovery techniques proposed must be sufficient to do the best currently possible job recovering as much potential data as possible from the ground for the widest range of research goals. Laboratory analysis and reportage must focus on a wide range of currently standard topics, but the storage of artifacts and samples for the future should be cognizant of the possibility of future analyses. When there is a conflict between the goals of two different data recovery techniques, a compromise would be best.
- F. Phase III excavation reports will constitute a site report of great detail, including relevant laboratory analyses. Written language, graphics, and photographs will be substantially in publishable form.

STATUTORY AUTHORITY: 27 MRSA S. 509, 16 USC S470a(b), 36 CFR 61.4(b)

BASIS STATEMENT:

Because of the vulnerability of archaeological sites to unprofessional excavation and because of the need to ensure that surveys to identify and evaluate archaeological sites are conducted properly, this rule establishes minimum credentials requirements for archaeologists seeking Commission grant support or Commission recommendation for projects funded by other parties. This rule also outlines archaeological reporting requirements.

Report Form For Small – Scale Survey

1. Project Name: _____
2. Location: City/County: _____
USGS Quadrangle: _____
UTM Coordinates: _____
Other Locational References: _____
3. Type of Investigation: _____
4. Principal Investigator: _____
5. Reporter: _____
6. Did survey cover entire area of direct and indirect environmental impact of project? ____ Yes
____ No If “no”, attach explanation: _____
7. Dates of Fieldwork and Log of Landowner contacts to obtain permission for access to land:

8. Attach map(s) of area(s) surveyed.
9. Attach list of personnel on survey team.
10. Repository for notes: _____
11. Repository for artifacts: _____
12. Environment:
 - (a) Attach description of contemporary environment (ca. 1 pg.).
 - (b) Attach description of likely relevant prehistoric and/or historic environments, with basis for reconstruction (ca. 1-2 pg.).
13. Research Topics: Attach description of research topics that influenced decision-making about survey design and/or significance of properties.
14. Background Research:
 - (a) Attach list of sources consulted (include informants).
 - (b) Attach brief description of results (prediction of historic property location, identification of groups using the area, etc.)
15. Field Research:
 - (a) Attach description of surface inspection methods (ca. 1 pg.).
 - (b) Attach description of subsurface testing methods (if used).
 - (c) Attach description of other methods and techniques if used (i.e., remote sensing).
 - (d) Attach description of any constraints on the validity of field observations (ie. e, adverse weather conditions, obscured visibility, etc.).
 - (e) Attach description of any methods used to control bias in observation and reporting.
 - (f) Attach description of any adjustments made in field methods during survey.
16. Attach description of analytic procedures used.
17. Historic Properties identified (if any). Attach standard State Inventory Forms.
18. Attach evaluation of work reported (ca. 1 pg).
19. Attach research-related conclusions, if any.
20. Attach recommendations, if any.